

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY BUFORD,

Plaintiff,

v.

M.T.A. HAGGIE, et al.,

Defendants.

CV F- 02-5313 OWW DLB P

ORDER DENYING PLAINTIFF'S  
MOTION TO TAKE TELEPHONIC  
DEPOSITION  
[DOC # 102]

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. section 1983. On March 10, 2006, plaintiff filed a motion for leave to take the deposition of a non party witness by telephone. Plaintiff's request is HEREBY DENIED as premature. Defendants have not yet responded to the second amended complaint and the court has not yet opened discovery.

IT IS SO ORDERED.

**Dated: March 20, 2006**  
3c0hj8

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE